

Message Text

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ACTION ARA-14

INFO OCT-01 NEA-10 ISO-00 DHA-02 PM-04 NSC-05 SP-02
SS-15 CIAE-00 INR-07 NSAE-00 DODE-00 L-03 /063 W
-----067976 152317Z /13

R 131607Z JUL 77
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 1332
INFO AMEMBASSY BONN
AMEMBASSY TEL AVIV

C O N F I D E N T I A L BUENOS AIRES 5167

E.O. 11652: GDS
TAGS: SHUM, AR, FG
SUBJECT: EXTRADITION OF ALLEGED NAZI EDUARD ROSCHMANN

REF: (A) STATE 158288, (B) BUENOS AIRES 5028

1. THE WEST GERMAN REQUEST FOR EXTRADITION OF ALLEGED NAZI WAR CRIMINAL EDUARD ROSCHMANN WAS TURNED OVER TO FEDERAL JUDGE GUILLERMO RIVAROLA ON JULY 7. JUDGE RIVAROLA REPORTEDLY ORDERED THE ARREST OF ROSCHMANN ON JULY 9. HOWEVER, IT IS STILL UNCLEAR WHETHER ROSCHMANN HAS BEEN ARRESTED AND HOW THE EXTRADITION REQUEST WILL ACTUALLY BE RESOLVED.

2. WEST GERMAN EMBASSY MINISTER HANS VON VACCANO TOLD EMBOFF JULY 11 THAT THE FEDERAL REPUBLIC REQUESTED GOVERNMENT OF ARGENTINE LAST OCTOBER TO EXTRADITE ROSCHMANN AND REVOKE HIS ARGENTINE NATURALIZATION WHICH, ACCORDING TO GERMAN OFFICIALS, WAS FRAUDULENTLY OBTAINED THROUGH THE USE OF FALSE DOCUMENTS. GOA OFFICIALLY AGREED TO PROCESS THE EXTRADITION REQUEST IN AN EXECUTIVE DECREE SIGNED BY PRESIDENT VIDELA JUNE 30. (SEE REFTEL B.)

3. THE SUBSEQUENT ANNOUNCEMENT OF THE DECREE AND ERRONEOUS
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PRESS REPORTS THAT GOA HAD ALREADY AGREED TO EXTRADITE ROSCHMANN WERE VERY UNFORTUNATE, ACCORDING TO VON VACCANO. ALTHOUGH THE ANNOUNCEMENT WAS PROBABLY MEANT AS A PUBLIC GESTURE TO SHOW THAT THE ARGENTINE GOVERNMENT IS NEITHER ANTI-SEMITIC NOR PRO-NAZI, IT BACKFIRED. THE FOREIGN MINISTRY AT FIRST CLAIMED TO KNOW NOTHING ABOUT THE ANNOUNCEMENT AND PRESS REPORTS, THEN LATER APOLOGIZED FOR THE CARELESS HANDLING OF THE EXTRADITION

REQUEST, VON VACCANO SAID. HE ADDED THAT HE DID NOT KNOW WHERE ROSCHMANN WAS NOR WHETHER HE HAD BEEN ARRESTED BY ARGENTINE AUTHORITIES. ARGENTINE FEDERAL POLICE HAVE CLAIMED THAT ROSCHMANN IS NOT IN POLICE CUSTODY.

4. "THE CASE IS NOW IN THE HANDS OF THE ARGENTINE JUDGE," SAID VON VACCANO. HE ADDED THAT THE JSGE AND THE GOA ARE SURE TO BE AWARE OF THE POLITICAL IMPLICATIONS OF THE CASE AND HE EXPECTS THE JUDGE'S DECISION WILL TAKE SOME TIME.

5. COMMENT: BUENOS AIRES HERALD COLUMNIST JAMES NEILSON ON JULY 10 WROTE THAT GIVEN THE RECIPROCAL NATURE OF THE GERMAN REQUEST FOR EXTRADITION, THE GOVERNMENT COULD BE EXPECTED TO ACT ON POSSIBLE FUTURE ARGENTINE EXTRADITION REQUESTS FOR ERP AND MONTONERO "KIDNAPPERS AND KILLERS SKULKING IN GERMANY AND OTHER PARTS OF EUROPE TODAY". IN REPLY TO THE NEILSON COMMENTS, MINISTER VON VACCANO SAID THAT GERMANY ACCEPTED THE PRINCIPLE OF RECIPROCITY AND HAD LEGAL MECHANISMS OF EXTRADITION AS WELL AS POLITICAL ASYLUM. VON VACCANO WENT ON TO SAY THAT ALTHOUGH HE WOULD NOT IMAGINE THE FRG WOULD PROTECT A KILLER JUST BECAUSE HE CLAIMED TO HAVE POLITICAL MOTIVATIONS, EACH CASE WOULD HAVE TO BE STUDIED ON ITS OWN MERITS AND WOULD REQUIRE AN INDEPENDENT JUDICIAL DECISION.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, WAR CRIMES, ALLEGATIONS, NAZISM
Control Number: n/a
Copy: SINGLE
Sent Date: 13-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BUENOS05167
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770253-0243
Format: TEL
From: BUENOS AIRES
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770764/aaaacdae.tel
Line Count: 86
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 2702586c-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 158288, 77 BUENOS AIRES 5028
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 15-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1881786
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION OF ALLEGED NAZI EDUARD ROSCHMANN
TAGS: SHUM, PDIP, AR, GE, (ROSCHMANN, EDUARD)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/2702586c-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009